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11 UNITED STATES DISTRICT COURT FOR THE
12 NORTHERN DISTRICT OF CALIFORNIA
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15 ANA DERAS,) No. CV 09-04113 MHP
16 Plaintiff,)
17 v.) PLAINTIFF'S MOTION FOR VOLUNTARY
18 ALEJANDRO MAYORKAS, ET AL.,) DISMISSAL; [PROPOSED] ORDER
19 Defendants.)
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21 Pursuant to Federal Rule of Civil Procedure 41, Plaintiff, Ana Deras, through counsel,
22 requests that her complaint for relief under the Administrative Procedure Act, currently pending
23 before the Court, be dismissed without prejudice. Because Defendants have issued a Notice to
24 Appear before an Immigration Judge to Ms. Deras, she now has administrative remedies
25 available to challenge Defendants' finding that she is not a lawful permanent resident of the
26 United States and, if necessary, to seek relief from removal.
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28 WHEREFORE, Plaintiff prays that this Court allow her to voluntarily dismiss her
complaint, without prejudice.
Motion for Voluntary Dismissal and [Proposed] Order
No. CV 09-4113 MHP

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2 DATED: October 23, 2009
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/s/

4 Robert B. Jobe
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10 Attorney for Plaintiff
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13 **[PROPOSED] ORDER**

14 IT IS HEREBY ORDERED that Plaintiff's motion for dismissal of the action without
15 prejudice be granted.
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18 DATED: 10/26/09
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